(243)

(54)

R

EMBASSY
OF THE
UNITED STATES OF AMERICA
Tel Aviv, Israel

September 30, 1971

CONFIDENTIAL

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY John Kelley DATE 1/24/83
RDS[] or XDS[] EXT. DATE
T8 AUTH. _____ REASON(S)
EO 12065 EXISTING MARKINGS []
DECLASSIFIED[] RELEASABLE[✓]
RELEASE DENIED[]
PA or FOI EXEMPTIONS

Mr. H. H. Stackhouse
Country Director, NEA/IAI
Department of State
Washington, D. C.

Dear Stack:

This replies to your letter of September 9 regarding the Liberty claim.

I saw Michael Elizur on September 22 and carried out your instructions. Needless to say, he was disappointed. He noted that it has not really been three years that our note of July 1, 1968 has gone unanswered, since there was an agreement between us that the claims for the ship itself would be held in abeyance until all of the claims for death and injury had been taken care of. Nevertheless, he admitted that it was probably some two years since a reply to our note ought to have been made.

I should point out, however, that the period of two years has not been entirely without action. As you will recall, the Ambassador has taken a personal interest in preventing this matter from becoming a real controversy between the two governments and has held a number of personal discussions with the Israelis. Since he felt so strongly that the proposal which they finally made to us was a good one, I am sure that he will be disappointed at the Department's reaction. I am not sure whether this was clear to you, but the Ambassador's letter to Roy was shown to the latter in draft while he was here and he appeared to indicate at least a willingness to try to work the claim out on that basis.

DECLASSIFIED

It may be that this has been discussed with the Ambassador while he was in Washington and that he may have succeeded in softening the Department's attitude.

In any event, Elizur took note of our response and said he would look further into what the Israeli Government should do. He noted that our note of July 1, 1968 did not contain any proposal to initiate discussions on a technical level, as you apparently believed from paragraph 3 of your letter. He asked me to clarify this point, and I have now told him that I assume you must have been referring to paragraph 3 of the Department's A-437, June 19, 1968, which gave us the text of the note to be given the Israelis but also instructed us to make an oral statement about experts getting together. Since I was not here at that time, I do not know exactly what was done and I can find no specific indication that we did indeed make the oral statement. The Embassy's A-1009 of July 6, 1968 informed the Department that the note had been presented but said nothing further.

While the next move is now presumably up to the Israelis, I am sure that I would be expressing the Ambassador's feelings when I say that I hope the Department will still take another look at the Israeli proposal. While they are offering only a token amount for the damages to the vessel, we should remember that they did pay fully and promptly every cent which we asked for personal injury and death claims.

With all best wishes,

Sincerely,

J. Owen Zurhellen, Jr.

DECLASSIFIED